



South Dakota Board of Nursing  
South Dakota Department of Health  
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**To:** Certified Nurse Practitioners and Certified Nurse Midwives  
**From:** Linda Young, MS, RN, FRE, BC; Nursing Practice Specialist; SD Board of Nursing  
**Date:** April 6, 2017  
**Re:** Changes to CNM and CNP Nurse Practice Act

Please be advised, the South Dakota Legislature passed new laws in the 2017 legislative session that will change the licensure and practice of certified nurse midwives (CNM) and certified nurse practitioners (CNP). The major changes to the practice act, SDCL 36-9A, include removing collaborative agreement requirements, placing the regulation of CNMs and CNPs under sole jurisdiction of the Board of Nursing, and modernizing the language.

## FAQs

- **When will these new laws take effect?** July 1st, 2017.
- **What will change?**
  - The BON will be solely responsible for licensing, determining practice, and disciplinary functions of CNMs and CNPs. Currently the BON and Board of Medicine co-regulate CNMs and CNPs.
  - Collaborative Agreement Requirements. Currently all CNMs and CNPs are required to have an approved physician collaborative agreement to practice fully. As of July 1st collaborative agreements will not be required to practice full scope for CNMs and CNPs that verify they have a minimum of 1,040 hours of practice as a licensed CNP or CNM.
- **What will happen with the collaborative agreement(s) I have on file?**
  - On Monday, July 3<sup>rd</sup>, 2017 the BON will retire all collaborative agreements of CNMs and CNPs licensed prior to January 1<sup>st</sup>, 2017. The BON's licensure verification website will be updated to remove collaborative agreement information.
  - All CNMs and CNPs licensed after January 1, 2017 will be required to verify completion of a minimum of 1,040 practice hours as a licensed CNM or CNP *prior* to the BON retiring their agreement. An APRN Practice Verification Form will be placed on the BON website in June.
  - New applicants licensed after July 1<sup>st</sup>, 2017 must verify practice hours. Those that cannot verify 1,040 hours of practice as a licensed CNM or CNP will be required to submit a collaborative practice agreement with a SD licensed physician, CNM, or CNP to meet the minimum practice requirement. Upon receipt of verified practice hours the practice agreement will be retired by the BON.
- **Is collaboration still required?** Yes. The change in law only removes the required contractual agreement with physicians. CNMs and CNPs are still required to collaborate with other healthcare providers and refer and transfer patients as appropriate if the care required extends beyond the scope of their education, training, and skills.
- **Can an employer require an agreement?** Yes. Employers may require an employment contract outlining practice requirements specific to their practice sites. Employment documents do not need to be sent to the BON.
- **Will my scope of practice change?** No. The changes only modernize the statutes language and are more descriptive and reflective of current practice. The intent was not to expand or limit current practice.

If you have additional questions please email [Linda.Young@state.sd.us](mailto:Linda.Young@state.sd.us) or call 605-362-2772.

Sincerely,

*Linda Young*